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PTO/SB/21 (08-00)  
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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

OIPET  
MAY 28 2002  
PATENT & TRADEMARK OFFICE

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

|                      |                        |
|----------------------|------------------------|
| Application Number   | 10/061,454             |
| Filing Date          | February 4, 2002       |
| First Named Inventor | Hartmut MAHNERT et al. |
| Group Art Unit       | Unassigned             |
| Examiner Name        | Unassigned             |
| Attorney Docket No.  | 449122022800           |

## ENCLOSURES (check all that apply)

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form                                | <input checked="" type="checkbox"/> Assignment Papers (for an Application)              | <input type="checkbox"/> After Allowance Communication to Group   |
| <input type="checkbox"/> Fee Attached   | <input checked="" type="checkbox"/> Drawing(s)  | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences   |
| <input type="checkbox"/> Amendment / Reply  | <input type="checkbox"/> Licensing-related Papers                                       | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)                                    |
| <input type="checkbox"/> After Final  | <input type="checkbox"/> Petition   | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declarations  | <input type="checkbox"/> Petition to Convert to a Provisional Application               | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                                      | <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>1449 w/2 references<br>English translation |
| <input type="checkbox"/> Express Abandonment Request                                    | <input type="checkbox"/> Terminal Disclaimer  |   |
| <input checked="" type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund   |   |
| <input checked="" type="checkbox"/> Certified Copy of Priority Document(1)              | <input type="checkbox"/> CD, Number of CD(s) _____                                      |   |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application   |   |   |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm  
or

Kevin R. Spivak, 43,148

Individual Name

Signature

Deborah L. Glabster Reg. No. 43,1636

Date

5/28/02

## CERTIFICATE OF HAND DELIVERY

I hereby certify that this correspondence is being hand filed with the United States Patent and Trademark Office in Washington, D.C. on May 28, 2002.

Emily L. Palmer

Emily L. Palmer

Burden Hours Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL FOR FY 2002

Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   | 10/061,454            |
| Filing Date          | February 4, 2002      |
| First Named Inventor | Hartmut MAHNERT et al |
| Examiner Name        | Unassigned            |
| Group Art Unit       | Unassigned            |
| Attorney Docket No.  | 449122022800          |

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$1,000.00

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **03-1952**

Deposit Account Name **Morrison & Foerster LLP**

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     | 740      |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$740.00

### 2. EXTRA CLAIM FEES

| Total Claims       | - 20** = | Extra Claims | x | Fee from below | = \$ | Fee Paid |
|--------------------|----------|--------------|---|----------------|------|----------|
| Independent Claims | - 3** =  |              | x |                | = \$ |          |
| Multiple Dependent |          |              |   |                | = \$ |          |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   | Fee Paid |
|----------------|-----------------|----------------|-----------------|---|----------|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |          |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |          |
| 104            | 280             | 204            | 140             | Multiple dependent claims, if not paid                    |          |
| 109            | 84              | 209            | 42              | **Reissue independent claims over original patent         |          |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |          |

SUBTOTAL (2) (\$)\*

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description  | Fee Paid |
|----------------|-----------------|----------------|-----------------|--|----------|
| 105            | 130             | 205            | 65              | Surcharge - late filing fee or oath  | 130.00   |
| 127            | 50              | 227            | 25              | Surcharge - late provisional filing fee or cover sheet                       |          |
| 139            | 130             | 139            | 130             | Non-English specification  |          |
| 147            | 2,520           | 147            | 2,520           | For filing a request for <i>ex parte</i> reexamination                       |          |
| 112            | 920*            | 112            | 920*            | Requesting publication of SIR prior to Examiner action                       |          |
| 113            | 1,840*          | 113            | 1,840*          | Requesting publication of SIR after Examiner action                          |          |
| 115            | 110             | 215            | 55              | Extension for reply within first month                                       |          |
| 116            | 400             | 216            | 200             | Extension for reply within second month                                      |          |
| 117            | 920             | 217            | 460             | Extension for reply within third month                                       |          |
| 118            | 1,440           | 218            | 720             | Extension for reply within fourth month                                      |          |
| 128            | 1,960           | 228            | 980             | Extension for reply within fifth month                                       |          |
| 119            | 320             | 219            | 160             | Notice of Appeal   |          |
| 120            | 320             | 220            | 160             | Filing a brief in support of an appeal                                       |          |
| 121            | 280             | 221            | 140             | Request for oral hearing   |          |
| 138            | 1,510           | 138            | 1,510           | Petition to institute a public use proceeding                                |          |
| 140            | 110             | 240            | 55              | Petition to revive - unavoidable   |          |
| 141            | 1,280           | 241            | 640             | Petition to revive - unintentional   |          |
| 142            | 1,280           | 242            | 640             | Utility issue fee (or reissue)   |          |
| 143            | 460             | 243            | 230             | Design issue fee   |          |
| 144            | 620             | 244            | 310             | Plant issue fee  |          |
| 122            | 130             | 122            | 130             | Petitions of the Commissioner  | 130      |
| 123            | 50              | 123            | 50              | Petitions related to provisional applications                                |          |
| 126            | 180             | 126            | 180             | Submission of Information Disclosure Stmt                                    |          |
| 581            | 40              | 581            | 40              | Recording each patent assignment per properties (times number of properties) |          |
| 146            | 740             | 246            | 370             | Filing a submission after final rejection (37 CFR § 1.129(a))                |          |
| 149            | 740             | 249            | 370             | For each additional invention to be examined (37 CFR § 1.129(b))             |          |
| 179            | 740             | 279            | 370             | Request for Continued Examination (RCE)                                      |          |
| 169            | 900             | 169            | 900             | Request for expedited examination of a design application                    |          |

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$260.00

## SUBMITTED BY

Complete (if applicable)

|                   |                        |                                   |        |           |                |
|-------------------|------------------------|-----------------------------------|--------|-----------|----------------|
| Name (Print/Type) | Kevin R. Spivak        | Registration No. (Attorney/Agent) | 43,148 | Telephone | (202) 887-6924 |
| Signature         | <i>Kevin R. Spivak</i> | Reg. #                            | 43,148 | Date      | May 28, 2002   |

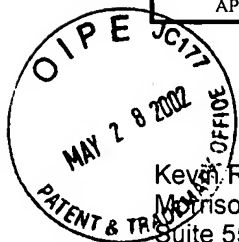
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



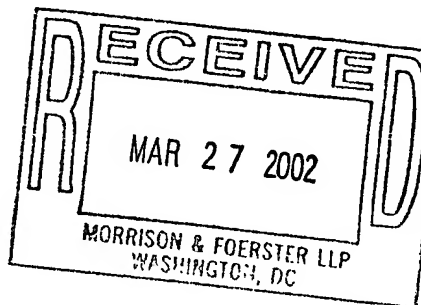
## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/061,454         | 02/04/2002          | Hartmut Mahnert       | 449122022800           |



Kevin R. Spivak  
Morrison & Foerster LLP  
Suite 5500  
2000 Pennsylvania Avenue, N.W.  
Washington, DC 20006-1888



CONFIRMATION NO. 8097

FORMALITIES LETTER



Date Mailed: 03/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/30/2002 RNEBRAHT 00000089 031952 10061454

FILED UNDER 37 CFR 1.53(b)

01 FC:105 130.00 CH  
02 FC:101 740.00 CH

Filing Date Granted 07/17/2002 MTEKLEMI 00000015 031952 10061454

01 FC:139 130.00 CH  
02 FC:104 280.00 CH

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 740 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 1000.**
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be

Adjustment date: 07/17/2002 MTEKLEMI  
05/30/2002 RNEBRAHT 00000089 031952 10061454  
03 FC:122 130.00 CR

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:

05/30/2002 RNEBRAHT 00000089 031952 10061454  
03 FC:122 130.00 CH

DOCKETED DEH  
Missing Parts due 5/25/02  
Final due date 10/25/02

- drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1);

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*A copy of this notice MUST be returned with the reply.*

Y.G.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

20061434-052802